

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

MILAN HEGGS, ROY BECKFORD and  
PHILIP LEGREE, *individually and on behalf of*  
*a class of all others similarly situation,*  
Plaintiffs,

and

DISABILITY RIGHTS NEW YORK,  
Plaintiff,

and

DISABLED IN ACTION,  
Plaintiff,

- against -

THE CITY OF NEW YORK, NEW YORK  
CITY POLICE (NYPD), COMMISSIONER  
JAMES P. O'NEILL; NYPD COMMISSIONER  
DERMOT F. SHEA; NYPD OFFICER (P.O.)  
ROBERT BERNHARDT; P.O. MOORAN, P.O.  
SLATER; JOHN DOES 1-8,

Defendants.

No. 17-CV-03234 (RJD)(TAM)

**AFFIDAVIT OF  
KATHLEEN M. COLLINS IN  
SUPPORT OF MEMORANDUM  
OF LAW IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
CLASS CERTIFICATION**

I, KATHLEEN M. COLLINS, declare under penalty of perjury that the foregoing is true  
and correct:

1. I am a board member of Disabled In Action of Metropolitan New York, Inc.  
(DIA) and am currently the organization's treasurer.
2. I am a New Yorker who was born missing more than half of my arms and legs. I  
use a wheelchair and sometimes prosthetics for mobility.
3. The history of DIA over the past fifty-two (52) years has been to advocate for the  
civil rights of people with disabilities in New York City and such advocacy has included, and  
continues to include, promoting the right of New Yorkers with disabilities to live independently.  
We, members of DIA, submit written testimony, testify in person as well as meet with

governmental officials to recommend policies, laws and regulations to provide and improve access for all New Yorkers with disabilities as well as oppose proposed legislation that will harm New Yorkers with disabilities. Further, DIA commences actions in Court when its members civil rights are violated, and it has reached an impasse in obtaining changes out of court.

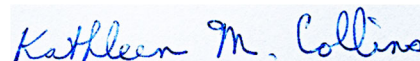
4. As a member of DIA, I have attended demonstrations, protests, and other events in support of DIA's mission.

5. Over the past several years, there have been several demonstrations, and protests, in New York City that I have decided not to attend due to a fear of being arrested and placed in a situation where my prosthetics and wheelchair could be severely damaged or lost while in police custody or worse, in a situation where I could be seriously injured or killed while in the police's custody.

6. If persons with mobility disabilities were granted reasonable accommodations during the arrest process and while held in custody, I would feel safer and thus, significantly less hesitant and fearful of attending demonstrations and protests. My fear of being seriously injured or killed while in the custody of the New York City Police Department would diminish because there would be proper policies and procedures in place that would protect me from being injured or killed just for exercising my civil right to participate in peaceful demonstrations and protests.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 17, 2022

  
Kathleen M. Collins